

Clemson University
Clemson, South Carolina

MINUTES

of the meeting of
THE CLEMSON UNIVERSITY
BOARD OF TRUSTEES

Held in the Board Room, Sikes Hall

September 15, 1978

The Board convened at 2:00 p.m. with the following members present: Paul W. McAlister, Chairman, presiding; Robert R. Coker, T. Kenneth Cribb, W. G. DesChamps, Jr., William N. Geiger, Jr., Lewis F. Holmes, Thomas B. McTeer, Jr., Buck Mickel, Paul Quattlebaum, Jr., James C. Self, D. Leslie Tindal and James M. Waddell, Jr.

Others present were: Robert C. Edwards, Melvin E. Barnette, Walter T. Cox, Victor Hurst, Stanley G. Nicholas, E. N. Tyndall, Wade A. Green, F. Reeves Gressette, Jr., E. Oswald Lightsey, Melvin C. Long, Davis T. Moorhead, Michael M. Ozburn, William F. Steirer, Jr., Ben W. Anderson and Joseph B. McDevitt, Secretary.

Item 1. In Memoriam: William Gordon McCabe, Jr.

WILLIAM GORDON McCABE, JR.
July 11, 1911 - August 26, 1978

Textile executive, civic leader, and dedicated member of the Board of Trustees of Clemson University, William Gordon McCabe, Jr., was first elected to membership on the Clemson Board on February 17, 1960. For the past eighteen years, during which he served under three successive Chairmen of the Board, Gordon McCabe ably and well gave his time, energy, and his exceptional capabilities to advancing the best interests of Clemson University. In continuous and uninterrupted service on this Board he ranked as one of its two senior members, having been re-elected by the General Assembly of South Carolina for successive four-year terms in 1964, 1968, 1972, and 1976.

During his tenure on its Board, Clemson University experienced a remarkable period of growth and expansion of its services in the field of higher education. Achievement of excellence in all of its programs of teaching, research, and public

service has been the primary concern of the trustees, the administration, and the faculty. As Chairman of the Educational Policy Committee of the Board of Trustees, Gordon McCabe with his wise counsel and his deep understanding made an invaluable contribution to the achievement of those goals toward which the institution has been advancing during these years. The University, the State of South Carolina, and the nation have been well and widely served because he chose to devote so much of his time and energy to the cause of higher education.

In addition to his duties as Chairman of the Educational Policy Committee, Gordon McCabe was also Vice-Chairman of the Executive Committee of this Board. And shortly before his final illness, he had consented to assume the duties of Chairman of the Screening Committee which has been given the most important responsibility of making the initial review of candidates for the presidency of Clemson University. These assignments reflect his unfailing willingness to serve this Board in every way that he could, and they also indicate the confidence of the Board in his ability and judgment. His talent for leadership and his ability to win the esteem and affection of those with whom he worked have been most valuable as we have sought to fulfill our obligations and responsibilities to this institution.

Be it resolved, therefore, that the Board of Trustees of Clemson University expresses to the family of W. Gordon McCabe its sincerest and deepest sympathy upon the occasion of his death and that we further express our own profound sense of loss that he will no longer serve with this Board. We are grateful for the privilege which has been ours of working with him and of having the benefit of his wisdom and understanding.

Be it further resolved, that a copy of this memorial be transmitted to the McCabe family and that the memorial itself be spread upon the minutes of the Board of Trustees.

Board Action: Adopted.

Item 2. Election of the Vice Chairman of the Executive Committee

Chairman McAlister announced that, at its meeting on Thursday, September 14, 1978, the Executive Committee elected Mr. D. Leslie Tindal as Vice Chairman of the Executive Committee to serve the unexpired term of W. Gordon McCabe, Jr., who held that office prior to his death.

Item 3. Minutes

The minutes of the meeting of April 15, 1978, heretofore submitted by mail to all members of the Board of Trustees, were approved as submitted.

Item 4. Adjustment of Student Fees

Statement: For the first time since 1974-75, the General Assembly appropriated to Clemson additional funds above the initial recommendations of the Budget and Control Board. These increases in appropriations enabled Clemson to avoid a very disastrous situation which would have necessitated large increases in student fees at a time when rates charged Clemson students are already among the highest in South Carolina and neighboring states. During this period when State appropriations have been held to levels such that minimal increases given have not even kept pace with rates of inflation, there were also two years in which budget reductions were mandated after the fiscal year had begun. These shortages in State Appropriations were partially offset by increasing student fees in 1975-76, 1976-77 and 1977-78.

During the last three years, State policy has changed to require that salary increases and fringe benefits costs associated with personal services costs from student fees and other non-State appropriated revenues be paid from such funds. Previously the State had funded all the salary increases and all fringe benefits costs for Educational and General budgets. This change has in effect cut budgets further and each year has required that increased amounts of student fees and other University-generated revenues be committed for these purposes -- another effective budget reduction.

For the fiscal year 1979-80, the Budget and Control Board has directed a new format in budget preparation and has made initial allocations at a level 5% below the funding levels for 1978-79. If these situations continue and the "bottom line" amounts for State appropriations become the amounts appropriated by the General Assembly, student fees will have to be increased in substantial amounts for the academic year beginning the Fall of 1979.

Recommendation: That the Administration is authorized and directed to determine what adjustments in student fees will be necessary to balance the 1979-80 Educational and General budgets and to make recommendations to the Board the amounts of such adjustments.

Board Action: Approved.

Item 5. Retirement Policy

Statement: On October 29, 1956, in an Executive Session, the Board of Trustees adopted unanimously a retirement policy which stated in effect that, as of June 30, 1957, persons would normally be retired who had reached the age of 65 during the current fiscal year. Provisions were made whereby individuals could be employed

on a year-to-year basis following their having reached the age of 65 during a given fiscal year, but the intent was clear to retire persons at the age of 65.

Due to recent changes in law and judicial holdings, such a policy will no longer be valid after January 1, 1979, inasmuch as it discriminates on the basis of age.

Recommendation: That the Board of Trustees rescind, effective January 1, 1979, the retirement policy adopted by the Board of Trustees on October 29, 1956; and that the Administration prepare a new retirement policy for consideration and adoption by the Board of Trustees at its next meeting.

Board Action: Approved.

Item 6. Appointment of State Plant Pathologist

Statement: Five (5) members of the Board of Trustees constitute the State Crop Pest Commission. The Commission is charged by law with the execution of certain statutory provisions. One such provision is contained in Section 46-9-20, Code of Laws of South Carolina, 1976, which provides for the appointment by the Commission of the State Pathologist. Traditionally, the Commission has appointed the Head of the Pathology Department, College of Agricultural Sciences, to the position. There has been no replacement named to fill the vacancy which has existed since the retirement of Dr. William Epps.

Recommendation: It is recommended that the State Crop Pest Commission appoint Dr. O. J. Dickerson, now the Head of Plant Pathology and Physiology Department, to the position of State Plant Pathologist.

Board Action: Approved.

Item 7. Naming of the Kresge Lodge

Statement: The Special Advisory Committee on Names has recommended that the central dining-kitchen facility at the Outdoor Laboratory be named The Kresge Lodge in recognition of the contributions made by the Kresge Foundation toward the completion of this facility.

Recommendation: That the central dining-kitchen facility at the Outdoor Laboratory be named The Kresge Lodge.

Board Action: Approved.

Item 8. Reaffirmation of Policy on Disposition of Old Buildings and Structures

Statement: On November 25, 1966, the Board of Trustees authorized the Administration in its discretion to dismantle and/or dispose of old buildings and structures when necessary repairs or desirable relocation is determined to be uneconomical. The State Engineer has suggested that the present Board of Trustees reaffirm that authority. After discussion, it was the consensus of the Executive Committee that the policy be reaffirmed, but that additional guidance be given the Administration in the form of the proviso set forth in the recommendation below.

Recommendation: That the Board of Trustees reaffirm the policy giving authority to the Administration to dismantle and/or dispose of buildings and structures that no longer represent sound investments, with the added proviso that the proposed disposition of any structure containing 4,000 or more square feet be referred to the Board of Trustees for its approval.

Board Action: Approved.

Item 9. Land Exchange Proposal -- Widening of Ridgecrest Drive

Statement: The Administration received a proposal for the exchange of a tract of University land containing approximately .117 acres for a tract of private property approximating .234 acres. The University land would be used for the widening of Ridgecrest Drive in order to permit access to a new residential development in the Clemson Heights area. The University land is under the cognizance of the College of Forest and Recreation Resources, and the Dean of that College interposed no objection to the exchange. The Administration recommended to the Board of Trustees, by mail ballot of August 16, 1978, that the exchange be approved. Requisite approval by the Board was received and the deed pertaining to the University land was executed by the Chairman of the Board of Trustees on August 23, 1978.

Recommendation: That the mail ballot action of the Board of Trustees of August 16, 1978, approving the exchange of the aforesaid tracts of land be confirmed and ratified.

Board Action: Confirmed and ratified.

Item 10. Equine Infectious Anemia (EIA) -- Establishment of Fee for Tests

Statement: An Act to provide for the control of Equine Infectious Anemia (commonly known as Swamp Fever) was enacted by the General

Assembly on February 9, 1978, and was approved by the Governor on February 14, 1978. The Act provides that it will take effect six (6) months after approval by the Governor. This made the effective date August 14, 1978.

The Act gives many responsibilities to the State Veterinarian. By law, the State Veterinarian is the Director of the Division of Livestock-Poultry Health of the College of Agricultural Sciences. Although it is estimated that the proper implementation of the Act will entail an expenditure of in excess of \$200,000 per year, the General Assembly did not appropriate any funds for that purpose. Neither did the Act establish a fee for the tests which the State Veterinarian must conduct pursuant to the Act. The key requirement of the Act is that all horses shall be accompanied by proof of an approved negative test for Equine Infectious Anemia within the past six (6) months when entering any public assembly of horses. This will result in a substantial increase in the number of EIA blood samples which will be received by the diagnostic laboratory of the Division of Livestock-Poultry Health.

The State Veterinarian estimated that a fee of \$3.00 per blood test will support the program. Section 46-7-10, Code of Laws of South Carolina, 1976, which defines the general powers and duties of the Board of Clemson University, authorizes the Board to adopt and promulgate such rules and regulations as it may deem necessary or advisable to carry into effect any and all matters for which it is responsible. In particular, it authorizes the Board to promulgate and enforce rules and regulations for the guidance of the State Veterinarian in his treatment of horses, among other animals.

Section 1, Chapter 23, Code of Laws of South Carolina, 1976, authorizes the issuance of emergency regulations. The regulation is filed with the Legislative Council along with a statement of the situation requiring an immediate promulgation and the regulation becomes effective as of the time of filing.

Pursuant to those Code provisions, the State Veterinarian requested that the Board of Trustees authorize the issuance of an emergency regulation. The By-Laws of the Board authorize the Executive Committee to transact official business in the interim between Board meetings.

By mail ballot of August 18, 1978, the Administration recommended, and the Executive Committee approved, the issuance of the emergency regulation by the State Veterinarian.

Recommendation: That the Board of Trustees confirm and ratify the emergency regulation issued by the State Veterinarian.

Board Action: Confirmed and ratified.

Item 11. University Budget for Fiscal Year 1978-1979

Statement: In its meeting of June 19, 1976, the Board adopted policies, rules, regulations, and delegations of authority to the Administration which state, in part:

"Budgets for each year shall be prepared and submitted to the Board of Trustees as soon as practicable after passage of the General Appropriations Bill of the State. When the Board of Trustees finds that it is impracticable, due to the date on which an appropriations bill is passed or for other reasons, to review and adopt a new annual budget prior to the beginning of a new fiscal year, the Administration is authorized and directed to utilize appropriations and other funds available in continuing into a new fiscal year the general level of operations prevailing at the end of the previous fiscal year pending approval of a new annual budget by the Board of Trustees. In carrying out the interim operations, the Administration shall implement to the extent practicable any known changes in budget items adopted previously by the Board of Trustees, provided by legislation, or directed by the State Budget and Control Board."

The Fiscal Year 1978-79 General Appropriations Bill of the State was passed on July 25, 1978, after the fiscal year had begun, with the result that it has been necessary for the Administration to function within the above guideline. The proposed University Budget for Fiscal Year 1978-79 was submitted to Board members by mail ballot in preparation for this Board meeting. Members were requested to submit any comments and recommendations to the Chairman, Budget and Finance Committee, prior to the meeting of that Committee on September 14, 1978.

Recommendation: (1) That the proposed 1978-79 budget submitted by the Administration be approved subject to adjustments which might be made by the State Budget and Control Board relating to salaries and other budget items in accordance with applicable legislation and with the following delegations of authority to the Administration contained on page 56 of the proposed budget:

"In approving this budget, the Board of Trustees recognizes that the amounts shown as income are estimates and subject to change, and that the amounts shown for expenditures are a reflection of plans and workload estimates as of the time the proposed budget was prepared. It further recognizes that each day may bring new challenges and developments requiring adjustments in plans, programs, estimates, and budget items. In order to provide for continuity

and essential flexibility in operations, the Board of Trustees reaffirms for Fiscal Year 1978-79 the delegation of necessary authority to the President to act in all matters, and to the Vice President for Business and Finance to act in fiscal, contractual and other business matters, including specifically authority to negotiate and make timely changes in contracts and adjust operating, permanent improvement and other income and expenditure items, and to take such other actions considered necessary in fiscal, contractual and other business matters in response to changing conditions and estimates. The Chairman of the Board, the Budget and Finance Committee, the Executive Committee or the full Board are to be consulted for further specific directions and approval as conditions appear to warrant."

(2) That budget income and expenditure adjustment deemed essential and already made by the Administration for 1978-79 be confirmed and ratified.

Board Action: (1) Approved; (2) Confirmed and ratified.

Item 12. Emergency Fertilizer Regulations

Statement: Act 578 of the 1978 Acts and Joint Resolutions became effective when signed into law by the Governor on July 18, 1978. The Act specified that penalties were to be assessed when analyses of fertilizer were found to be deficient beyond allowances as established by regulation. Until regulations were promulgated specifying the permissible allowances, the Act could not be enforced. The enforcement of the Act is the responsibility of the Board of Trustees of Clemson University, and specifically the Fertilizer Board of Control of the Board of Trustees. The procedural implementation of the Act is the responsibility of the Fertilizer Inspection and Analysis Department of the College of Agricultural Sciences. The Head of that Department requested the immediate promulgation by the Fertilizer Board of Control of emergency regulations to permit the enforcement of Act 578.

By mail ballot of July 31, 1978, the Fertilizer Board of Control approved emergency regulations which were subsequently filed with the Legislative Council and published in the South Carolina State Register.

Recommendation: That the promulgation by the Fertilizer Board of Control of emergency regulations be confirmed and ratified.

Board Action: Confirmed and ratified.

Item 13. Robert Cook Edwards Endowment for Excellence in
Science and Technology

RESOLUTION

WHEREAS, the Board of Trustees of Clemson University desires to honor President Robert Cook Edwards on the occasion of his retirement in June, 1979 in recognition of his outstanding accomplishments which have enhanced the excellence of the University during the twenty-one years he has served as its President, and

WHEREAS, the Board of Trustees considers that an appropriate honor will be the establishment of a permanent endowment having as its purpose the continuing enhancement of excellence within the University, and

WHEREAS, the Board of Directors of the Clemson University Foundation has (1) recommended that the Board of Trustees of the University establish within the Foundation a permanent endowment for that purpose, and (2) indicated its willingness to accept the challenge of organizing and conducting a fund-raising effort to achieve the endowment goal,

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of Clemson University hereby establishes within the Clemson University Foundation a permanent endowment of \$1,000,000.00 to be known as the ROBERT COOK EDWARDS ENDOWMENT FOR EXCELLENCE IN SCIENCE AND TECHNOLOGY. The annual income is to be allocated by the Directors of the Foundation upon the basis of recommendations received from the President of Clemson University to include, but not be limited to, recommendations for graduate fellowships, scholarships, professorships, visiting professors, research and public service programs and continuing education, to the end that the excellence of the academic programs of the University will thereby be enhanced, the economic life and well-being of the citizens of South Carolina and the nation will be improved, and the institution will become even more the "high seminary of learning" envisaged by its founder, Thomas Green Clemson.

Board Action: Adopted.

Item 14. Board Meeting Schedule for 1979

In accordance with the requirement of the Freedom of Information Act, the Board of Trustees determined and announced the following schedule of regular meetings for 1979:

January 12-13, 1979
April 20-21, 1979
July 20-21, 1979
September 7-8, 1979

Item 15. Statutory Roll Call Vote

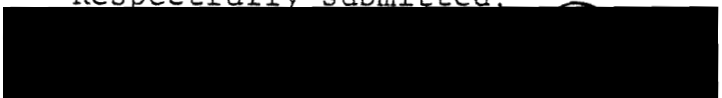
Resolution: RESOLVED, that all measures and recommendations made at this, the September 15, 1978 meeting, which according to the By-Laws require a roll call vote of nine or more members, be hereby adopted and confirmed, and that the Vice President for Business and Finance be authorized to issue his checks for all expenditures authorized at this meeting.

Board Action: The resolution was adopted with twelve members present voting "Aye."

Item 16. Adjournment

There being no further public business, the meeting of the Board was adjourned.

Respectfully submitted,


Joseph B. McDevitt
Secretary of the Board of Trustees